

REMARKS

The present Amendment is being submitted in response to the PTO's refusal to enter Applicant's Rule 312 Amendment filed on August 2, 2005. It is understood that the requested Amendment could not be made under Rule 312 in that it has the effect of broadening the claim language.

By way explanation, Applicants are simply seeking to correct a minor grammar error in claim 5 and to conform the language of this claim to that used in the other independent claims. Specifically, in Applicants' Amendment of February 3, 2005, all instances of the word "suction" were eliminated from the then-pending claims, although unfortunately the second occurrence of this term in claim 5 was overlooked. Thus, the present amendment is intended to bring the language of claim 5 into line with that appearing in the remaining claims.

Although this amendment works a broadening of claim 5, it is noted that all of the remaining independent claims were previously amended in the same way, and were subsequently allowed. Therefore, it is apparent that the "suction" feature was not one which was critical to patentability. Further, it is noted that claim 5, as amended, shares substantial common features with allowed claim 1, albeit in method format.

Accordingly, it is believed that claim 5 remains in allowable condition notwithstanding the present amendment.

As noted above, the second amendment in claim 5 is intended simply as a grammatical correction, with no change in scope intended.

Amendment Under 37 C.F.R. § 1.312
USAN 10/822,791

Q80419

The change being made is simply editorial in nature and no question of new matter or questions of further search arise.

Entry and consideration of this Amendment are respectfully requested.

Respectfully submitted,



Richard C. Turner
Registration No. 29,710

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: September 21, 2005